

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. 7:19-cv-00354
)	
)	
v.)	
)	
SOUTHERN COAL CORPORATION;)	
A & G COAL CORPORATION;)	
JUSTICE COAL OF ALABAMA LLC;)	
BLACK RIVER COAL LLC;)	
CHESTNUT LAND HOLDINGS LLC;)	
DOUBLE BONUS COAL COMPANY;)	
DYNAMIC ENERGY INC.; FOUR)	
STAR RESOURCES LLC; FRONTIER)	
COAL COMPANY, INC.; INFINITY)	
ENERGY INC.; JUSTICE ENERGY)	
COMPANY, INC.; JUSTICE)	
HIGHWALL MINING, INC.;)	
KENTUCKY FUEL CORP.,)	
KEYSTONE SERVICES INDUSTRIES)	
INC.; M & P SERVICES, INC.; NINE)	
MILE MINING COMPANY, INC.;)	
NUFAC MINING COMPANY, INC.;)	
PAY CAR MINING INC.; PREMIUM)	
COAL COMPANY, INC.; S AND H)	
MINING, INC.; SEQUOIA ENERGY,)	
LLC; TAMS MANAGEMENT, INC.;)	
VIRGINIA FUEL CORP.,)	
)	
Defendants.		

**UNITED STATES' MOTION TO COMPEL
COMPLIANCE WITH CONSENT JUDGMENT**

Defendants have failed to comply with the Consent Order previously entered in this matter. As a result, the United States moves to compel Defendants to meet their obligations under the Consent Order. The Court should order Defendants to immediately make their March 2022

installment payment for monetary civil penalties they agreed to and that this Court ordered them to pay. The United States filed a contemporaneous Memorandum in Support.

Respectfully submitted,

CHRISTOPHER R. KAVANAUGH
United States Attorney

Date: March 31, 2022

/s/ Laura Day (Rottenborn) Taylor
Laura Day (Rottenborn) Taylor
Assistant United States Attorney
Virginia State Bar No. 94021
Illinois State Bar No. 6289334
Laura.Taylor@usdoj.gov

/s/ Krista Consiglio Frith
Assistant United States Attorney
Virginia Bar No. 89088
United States Attorney's Office
P. O. Box 1709
Roanoke, VA 24008-1709
Telephone: (540) 857-2250
Facsimile: (540) 857-2283
Krista.Frith@usdoj.gov

/s/ Jason S. Grover
Special Assistant United States Attorney
Illinois Bar No. 6256032
Counsel for Trial Litigation
Mine Safety and Health Division
Department of Labor
201 12th Street South, Suite 401
Arlington, VA 22202
TEL (202) 693-9326
FAX (202) 693-9392
grover.jason@dol.gov
Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on March 31, 2022, I caused a true copy of the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the parties.

/s/ Krista Consiglio Frith

Krista Consiglio Frith
Assistant United States Attorney